REMARKS

This is intended as a full and complete response to the Office Action dated November 24, 2004, having a shortened statutory period for response set to expire on February 24, 2005.

RESTRICTION:

Claims1-27 are pending in the application and stand restricted under 35 U.S.C. § 121. The claims stand restricted as follows:

Group I:	Claims 1-19 drawn to a process of making a catalyst;
Group II:	Claims 20-22 drawn to a catalyst composition; and
Group III:	Claims 23-27 drawn to a polymer.

In response thereto, Applicants hereby elect claims 1-19, identified as Group I, for prosecution in the present application.

CLAIM REJECTIONS:

Claims 1-12 stand rejected under 35 U.S.C. § 112, second paragraph. Applicants have amended claim 1 and respectfully request withdrawal of the rejection.

Claims 10-14 stand rejected under 35 U.S.C. § 112, second paragraph. Applicants have cancelled claims 10-11 and amended claims 12-14. Accordingly, Applicants respectfully request withdrawal of the rejection.

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,174,971 (*Chen*) in view of U.S. Patent No. 5,563,225 (*Spitz*) and U.S. Patent No. 5,968,865 (*Wilson.*)

The Office Action states that *Chen* differs from the instant claims in that the reaction mixture $TiCl_4/Ti(OBu)_4$ is used to chlorinate the magnesium-titanium-alkoxide adduct rather than the alkylchloride of the instant claims. *Chen* teaches a synthesis that produces an active catalyst after a first chlorination-titanation via a first mild chlorinating-titanating agent, which is preferably a blend of a titanium chloride and a titanium alkoxide, and a second stronger chlorinating-titanating agent. *See*, column 3, line 64 to column 4, line 38.

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Spitz teaches a product that is the result of the combination of at least one titanium compound, one magnesium compound, one chlorine compound and possibly an electron donor. The chlorine can result directly from the halide of titanium and/or the halide of magnesium, but it can also result from an independent chlorinating agent, such as butyl chloride. *See*, column 2, lines 54-61 and column 3, lines 5-9. As discussed, *Chen* teaches chlorinating-titanating agents and not independent chlorinating agents. Therefore, at the least, there would be no motivation to combine *Chen* and *Spitz* and such combination would frustrate the first and second titanations of *Chen*.

Wilson teaches that after separation, the halogenated product may be treated one or more times with additional tetravalent titanium halide to remove residual alkoxy and/or aryloxy groups. To assist in the removal of residual alkoxy moiety from the halogenated product, the treatment may be effected in the presence of an acid halide, such as benzoyl chloride. *See*, column 5, lines 9-36. The Office Action states that benzoyl chloride is well know as the chlorinating agent to replace the alkoxide group and is shown in Wilson. The acid halides of *Wilson* are not used as either chlorinating nor titanating agents.

Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request the same.

Respectfully submitted,

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